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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/560,784	04/28/2000	Andrew L. Di Rienzo	11787-002001	5147

26161 7590 08/25/2003

FISH & RICHARDSON PC
225 FRANKLIN ST
BOSTON, MA 02110

EXAMINER

JUNG, DAVID YIUK

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 08/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

3

Office Action Summary

Application No.
09/560,784

Applicant(s)
DiRienzo

Examiner
David Jung

Art Unit
2134



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jan 14, 2003
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 6) ☐ Other:

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III. DETAILED ACTION

Claims Presented

1. 1-34 are presented.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laurence et al. (US 4860352, cited by Applicant, hereinafter also referred as "Laurence") and Schipper et al. (US 574657, cited by Applicant, hereinafter also referred as "Schipper").

4. Regarding claim 1, Laurence teaches a method comprising, in connection with authenticating a client of a network, acquiring information that characterizes the client in a manner that enables a determination about authenticating the client of the

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network, ... and making an authentication decision based on the information (column 6, line 53 to column 7, line 32, i.e. position encryption which provides authenticating in a satellite network -- "the satellite and receivers" teaching "server and clients").

5. These passages of Laurence do not teach " the information being acquired other than in the form of a digital message that is passed on behalf of the client to the network aliases."

6. Schipper teaches "the information being acquired other than in the form of a digital message that is passed on behalf of the client to the network (column 6, lines 29-45, i.e. putative source handling)" for the motivation of "authenticating source of a message" (column 6, lines 14-18).

7. It would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine the teachings of Laurence with the teachings of Schipper for the motivation noted in the previous paragraphs so as to teach the claimed invention.

8. Regarding claims 2-34, such various network and satellite and security handlings are well known in the art for the motivation of safe communication. Such details are referred

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throughout Laurence and Schipper, such as at the cited passages of Laurence and Schipper.

Conclusion

Points of Contact

9. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 746-7239, (for formal communications
intended for entry)

Or:

(703) 746-5606 (for informal or draft
communications, please label "PROPOSED" or
"DRAFT")

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Hand-delivered responses should be brought to Crystal Park II,
2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier
communications from the examiner should be directed to David Jung
whose telephone number is (703) 308-5262 or Greg Morse whose
telephone number is (703) 305-4789.

David Jung

Patent Examiner

August 24, 2003

A handwritten signature in black ink, consisting of a stylized 'D' followed by a horizontal line that curves upwards at the end.